

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

IN THE MATTER OF:

DEBORAH L AUSTIN  
Debtor

CASE NUMBER: 12-33430  
CHAPTER 13

cc

SPECIAL ORDER CONFIRMING CHAPTER 13 PLAN

At South Bend, Indiana on February 5, 2013

On September 27, 2012, Deborah Austin, by counsel, filed her Chapter 13 Plan ("Plan").

Based on the certificate of service filed with the Plan, the Court finds that the Trustee timely served a copy of the Plan and a copy of this Court's Order fixing the last date to object to confirmation upon all creditors and parties in interest listed on the matrix.

Trustee Debra L. Miller was the only party in interest who timely filed an objection to confirmation of the Debtor's Plan. On December 13, 2012, the Court held a hearing on confirmation of the Plan at which time Debra L. Miller, Trustee, advised the Court of an agreement that had been reached with the Debtor, thereby satisfying the Trustee's objection to confirmation.

Reviewing the Debtor's Plan and the terms of the parties' agreement, the Court concludes that the Plan, as modified, complies with all of the requirements of 11 U.S.C. §1325. The Court therefore confirms the Plan, as modified to provide that:

1. The secured claim of the first mortgage holder on the real property that is the Debtor's residence, Wells Fargo Home Mortgage, shall be paid as filed and allowed.
2. All priority claims will be paid as allowed unless otherwise defeated.
3. All property will remain vested in the estate until dismissal or discharge.

4. Debtor's Plan provides for payment in full to all unsecured creditors who timely file allowed claims. The Trustee reserves the right to object to the Debtor's disposable income/means test deductions should the Debtor later seek to modify the Plan to reduce the dividend to unsecured creditors.
5. To properly fund the Plan, the Debtor's plan payment shall be \$1,669.57 per month beginning with the February 2013 payment and continuing for the remainder of the Plan term.
6. Payments shall be \$1,669.57 per month with \$399.40 of the payment for non-conduit mortgage payments each month. Upon notice of a monthly conduit payment change, Debtor has a duty to change her monthly payment accordingly.

All other provisions of the Debtor's Plan not in conflict with the foregoing modifications remain in full force and effect.

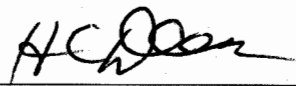
The Court further orders that the Debtor's attorney is awarded a fee of \$4,000.00 as an administrative expense under 11 U.S.C §503(b)(1)(A), of which \$2,575.00 is due and payable from the estate.

APPROVED:

/s/ Debra L. Miller, Trustee  
Debra L. Miller, Trustee  
Standing Chapter 13 Trustee

/s/ Ronald L. Gemma, Esq.  
Ronald L. Gemma, Esq.  
Attorney for Debtor

SO ORDERED.

  
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HARRY C. DEES, JR., JUDGE  
UNITED STATES BANKRUPTCY COURT